



Patent
60018/101:1

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Michael J. Masterson) Group Art Unit:
Serial No.: 10/826,905) Examiner: Not Yet Assigned
Filed: April 15, 2004)
For: APPARATUS AND METHOD FOR)
MONITORING TERMITE ACTIVITY)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.

Copies of listed U.S. patent documents are omitted because this application was filed after June 30, 2003 and, thus is subject to image file wrapper processing.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated.

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

June 25, 2004
Date of Deposit
PortInd2-4472521.1 0060018-00101

Sandi Lekar
Name of Person Mailing Paper

Sandi Lekar
Signature of Person Mailing Paper

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

The fee due under 37 CFR § 1.17(p) is submitted herewith.

A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

Applicant sets forth below concise explanation of the relevance of each document not in the English language and/or selected documents(s) in the English language.

STATEMENT OF EXPLANATION OF DATES

Though no dates appear on Items CB and CC cited herein, it is noted that Items CA, CB and CC on the attached Form PTO-1449 and of which copies are enclosed, were cited and are of record in parent patent 6,370,811 to the present reissue application and thus are cited herein.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

A check in the amount of _____ is enclosed for the above fee(s).

The Commissioner is authorized to charge Deposit Account No. 19-4455 for any additional fees which may be required.

Respectfully submitted,

Dated: June 25, 2004

By: John A. Rafter
John A. Rafter, Jr.
Reg. No. 31,653

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Portland, OR 97204-1268
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LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.
60018/101:1SERIAL NO.
10/826,905APPLICANT:
Michael J. MastersonFILING DATE:
April 15, 2004

GROUP:

JUN 29 2004

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
AA	3,564,750	2/1971	Burgess			
AB	5,329,726	7/1994	Thorne et al.			
AC	5,575,105	11/1996	Otomo			
AD	5,592,774	1/1997	Galyon			
AE	5,695,776	12/1997	Ballard et al.	424	408	3/12/1996
AF	5,899,018	5/1999	Gordon et al.			
AG	5,901,496	5/1999	Woodruff			
AH	5,937,571	8/1999	Megargle et al.	43	131	1/21/1997
AI	6,016,625	1/2000	Bishoff et al.	43	121	
AJ	6,065,241	5/2000	Woodruff	43	132.1	
AK	6,071,529	6/2000	Ballard et al.	424	408	8/22/1997
AL	6,100,805	8/2000	Lake	340	573.1	8/12/1999
AM	6,158,166	12/2000	Snell et al.	43	131	9/2/1998
AN	6,189,393	2/2001	Cates	73	865.8	11/16/1999
AO	6,195,934	3/2001	Megargle et al.	43	131	8/11/1999
AP	6,219,960	4/2001	Contadini et al.	43	121	10/28/1999
AQ	6,235,301	5/2001	Ballard et al.	424	405	12/27/1999
AR	6,255,959	7/2001	Lake et al.	340	693	11/3/1999
AS	6,266,918	7/2001	Henderson et al.	43	131	2/24/2000
AT	6,439,069	8/2002	Cates	073	865.8	11/5/1999
AU	6,532,838	3/2003	Cates	073	865	2/18/2000
AV	6,668,669	12/2003	Cates	073	866.3	1/15/2003

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

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60018/101:1SERIAL NO.
10/826,905APPLICANT:
Michael J. MastersonFILING DATE:
April 15, 2004

GROUP:

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	BA						
	BB						
	BC						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

CA	"Systematic Termite Control™" brochure; FMC Corporation; 7/99; 2 pp.
CB	"Termatrol Pro" brochure; Sector Diagnostics, LLC; no date; 2 pp.
CC	"Quarterra Extended Inspection Interval Station" brochure; EnsysTex; no date; 2 pp.
CD	U.S. Application Ser. No. 10/407,253 which is a reissue application of Pat. No. 6,266,918
CE	

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant